

Commonwealth of Virginia  
Private Security Services Advisory Board  
Department of Criminal Justice Services

December 4, 2001

Meeting Minutes

Held at the Virginia State Police Academy, Richmond, Virginia.

Joyce Monaghan, Chair  
Mary Kay Wakefield, Vice Chair  
John Seay, Secretary

Lynn Herring  
Clyde Sparks  
Robert Shuster  
Lt. Paul Midget  
Steve Martin  
W. Brent Fortner  
Steve Masterson  
Robbie Robertson

The meeting was called to order by Chair Joyce Monaghan at 10 AM.

The Chair directed for a calling of the membership. All members were in attendance except Mr. Rob Schuster. It was announced that Mr. Schuster had an excused absence.

The Chair welcomed all industry members and guests to the meeting and expressed her gratitude from the PSSAB to those attending. It was explained that there were two public comments rosters. A separate roster had been circulated for those wishing to speak on the DCJS proposed fee increase.

Chairman Monaghan called for a reading of the previous minutes of past two meetings. A motion was made, seconded and passed that the reading of the minutes be waived.

The Chair called for reports from the established committees.

#### Committee Reports

##### Fingerprint Committee, Brent Fortner Chair

Mr. Fortner reported that during a committee meeting on October 19, 2001 and it had endorsed the concept of finger printing all private security applicants.

##### Legislative Committee, Joyce Monaghan Chair

Ms. Monaghan reported that during a committee meeting on November 14, 2001 the committee had decided to go forward with 4 legislative initiatives. A copy of the report is attached to these minutes.

The committee recommends that legislation be sought on

Action 1—Requiring unarmed security officers to be fingerprinted.  
Motion made by Ms. Wakefield, Seconded by Mr. Fortner and passed.

Action 2 —An exemption for Armored car personnel to be allowed to work for 90 days without access to fire arms. ( drivers )  
Motion made by Mr. Masterson, Seconded by Mr. Seay and passed

Legislative Committee, Joyce Monaghan, Chair

Action 3 — Exempts from regulation the business and employees of a credit reporting agency as defined by the Federal Fair Credit Reporting Act. Motion made, seconded and passed.

Action 4— Establish a Virginia State Police Data Base of private security registrants—which shall report to DCJS any arrest associated with the individuals in the data base.  
Motion made, seconded and passed.

Reciprocity Committee, John Seav, Chair

No Report

Training Committee, Lynn Herring, Chair

No Report

Old Business

There was no old or unfinished business brought before the Board.

New Business

Meeting Sites.

Mr. Robertson made a motion that the Board travel around the state to make the Board more available to the regulated interested. Seconded by Mr. Masterson and passed.

The Vice Chair went on to explain that the next meeting would have to be held in Richmond as a meeting had been scheduled with representatives of the Attorney General's office for the same date.

The motion was amended to state that the March meeting would be in Richmond and the June meeting would be elsewhere in the state. Motion made by Mr. Herring, seconded by Mr. Robertson and passed.

DCJS Private Security Annual Conference.

Ms. Lisa Hahn, Deputy Section Chief, discussed the previous and future Conferences. Mr. Robertson and Mr. \_\_\_\_\_ voiced a strong preference for Virginia Beach.

Ms. Hahn reported that attendance was 227 at the 2001 conference versus 167 for the 2000 conference.

The Chair announced a brief break for Mr. Baker's presentation. In view of the large attendance—she announced the circulation of two speakers 'sign-in' sheets. One sheet was for those wishing to speak specifically to the issue of the matter of increasing private security fees and the second sheet was for those wishing to speak on other matters or issues.

#### DCJS Fees Increase Report

Mr. Leon D. Baker, Jr., Section Chief, presented to the Board and extensive and detailed report on the Sections Income and Expenses. His report is attached to these minutes. The deficit amounts were recovered from a Fund containing surpluses from previous years. The size of the deficit for this fiscal year required adjustments outside the capability of our surplus fund. The section has expanded and grown in size, number of personnel and services provided to the regulated industries.

Many options were explored before the decision to seek a fees increase was announced. Options explored and rejected were a staff reduction or a service reduction or a combination of both.

Mr. Baker explained that this was the first increase in fees since DCJS had assumed regulatory responsibilities for Private Security. Mr. Baker went on to explain that the formula or rationale for fees established by DPOR (formerly Commerce) was indecipherable.

A lively board discussion was held after Mr. Baker's presentation. Comments from the attendees were in the majority against any fees increase until all other options had been investigated.

A motion was made by Mr. Herring and seconded by Lt. Midgett that "To approve this fees increase to take care of this emergency and to establish a fee's committee to study the issues for future revenue needs" Motion passed. Messrs. Seay and Robertson in dissent.

The Chair established a fees committee and appointed Mr. Robertson as Chair of this committee.

### Public Comments—General

Mr. Larry Daniels had signed to speak—but stated that his issues had already been discussed.

Mr. Bill McCrory asked that the meetings be moved around the state to obtain more industry participation.

Mr. James Dillingham stated that he thought it was unfair for Private Security to have to compete for business with Sworn Police officers whom are working part time jobs in public supplied uniforms.

Mr. J. J. Monaghan spoke about the inconsistencies on some Private Security Services forms. Specifically, he mentioned the requirement for a “voluntary” statement from a regulated party that could be used in prosecution of the provider.

Mr. Hayward Long, President of PISA asked for the existing PSS Regulations to be opened for review.

Mr. Leon D. Baker, Jr., Chief of the PSS section replied that it was currently planned to open the regulation in February, 2002 for these normally scheduled review.

The Chair announced that the next meeting of the Private Security Services Advisory Board would be March the 7th at 10 AM.

A motion Was made by John Seay and Seconded by Mr Robertson that the meeting be adjourned. Passed

Respectfully,

John G. Seay